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Company, as Trustee for First Franklin Mortgage Loan  
Trust 2006-FF11*

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11;

Case No. 2:17-cv-01513-MMD-VCF

Plaintiff,

vs.

LEE FAMILY PROPERTIES, LLC; LP  
HOMEOWNERS ASSOCIATION AKA LAS  
PALMERAS HOMEOWNERS  
ASSOCIATION; and ALESSI & KOENIG,  
LLC;

**STIPULATION AND ORDER TO  
DISMISS LITIGATION WITH  
PREJUDICE AND FOR JUDGMENT  
THAT DEED OF TRUST  
SURVIVED HOA SALE**

Defendants.

AND RELATED COUNTERCLAIMS

Pursuant to Federal Rule of Civil Procedure 41(a)(2), it is hereby stipulated and agreed between Plaintiff/Counterdefendant DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11 ("Deutsche Bank"), Defendant LP HOMEOWNERS ASSOCIATION AKA LAS PALMERAS HOMEOWNERS ASSOCIATION (the "HOA") and Defendant/Counterclaimant LEE FAMILY

1 PROPERTIES, LLC (“Lee Family”) (collectively, the “Parties”<sup>1</sup>), by and through their respective  
2 counsel, that:

- 3 1. Except as to Deutsche Bank’s counterclaim for quiet title in part for which this  
4 Court enters Judgment, this action, is dismissed in its entirety, with prejudice;
- 5 2. All outstanding hearings and deadlines shall be vacated;
- 6 3. The Parties shall bear their own attorneys’ fees and costs associated with this  
7 action;
- 8 4. This lawsuit related to the real property located at 646 Roberta Alecia Avenue,  
9 North Las Vegas, Nevada 89031, APN 124-34-111-003 (the “Property”);
- 10 5. A Deed of Trust (“Deed of Trust”) was recorded against the Property in the  
11 Official Records of Clark County, Nevada, as Document No. 20060601-0001091, on June 1,  
12 2006;
- 13 6. An assignment of the Deed of Trust to Deutsche Bank was recorded on June 29,  
14 2009;
- 15 7. On or about May 28, 2014, the HOA foreclosed a lien for delinquent homeowners’  
16 assessments, transferring an interest in the Property to Lee Family (“HOA Foreclosure Sale”);
- 17 8. Judgment may be entered on Deutsche Bank’s quiet title claim stating that the  
18 Deed of Trust survived the homeowners’ association foreclosure sale and continues to encumber  
19 the Property. The Property is more specifically described as follows:

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21           Parcel One:

22           Lot Thirty-two (32) in Block One (1) of Las Palmeras, Phase II, as  
23 shown by map thereof on file in Book 73 of Plats, Page 79 in the  
24 Office of the County Recorder, Clark County, Nevada and amended  
by that certain Certificate of Amendment recorded August 13, 1996  
in Book 960813 as Document No. 01949 of official records.

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<sup>1</sup> Alessi & Koenig, LLC has not appeared in this litigation.

1                   Parcel Two:

2                   Together with an easement for ingress, egress and use in and to the  
3                   common elements and private drives as shown on the final map of  
4                   Las Palmeras Phase II.

5                   9. All Notices of Lis Pendens recorded against the Property, including but not  
6                   limited to the Notice of Lis Pendens recorded on June 16, 2017, as Document No. 20170616-  
7                   0001032, shall be cancelled and expunged of record.

8                   DATED: March 10, 2020

9                   DATED: March 10, 2020

10                  **LEE, LANDRUM & CARLSON, APC**

11                  **SNELL & WILMER L.L.P.**

12                  */s/ Elizabeth C. Spaur*

13                  ELIZABETH C. SPAUR, ESQ.  
14                  7575 Vegas Drive, Suite 150  
15                  Las Vegas, Nevada 89128

16                  *Attorneys for Lee Family Properties, LLC*

17                  */s/ Holly E. Cheong*

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21                  Las Vegas, Nevada 89169

22                  *Attorneys for Deutsche Bank National Trust  
23                  Company, as Trustee for First Franklin  
24                  Mortgage Loan Trust 2006-FF11*

25                  **SIGNATURES AND ORDER CONTINUED ON NEXT PAGE**

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1  
2 DATED: March 10, 2020  
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**TYSON & MENDES, LLC**

5 /s/ Margaret Schmidt  
6 MARGARET SCHMIDT, ESQ.  
7 3960 Howard Hughes Pkwy, Ste 600  
8 Las Vegas, Nevada 89169  
9 *Attorneys for LP Homeowners Association aka*  
10 *Las Palmeras Homeowners Association*

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**ORDER**

12 IT IS HEREBY ORDERED that the foregoing *Stipulation and Order to Dismiss*  
13 *Litigation With Prejudice and For Judgment that Deed of Trust Survived HOA Sale* by and  
14 among the Parties is approved.

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**IT IS SO ORDERED.**

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17 DATED: March 11, 2020



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U.S. DISTRICT COURT JUDGE